

(b) any chemical, refuse or waste steam, or any liquid of a temperature higher than forty-five degrees centigrade, being refuse or steam which, or a liquid of which, when so heated, is, either along or in combination with the contents of the sewer, dangerous, or the cause of a nuisance, or prejudicial to health; or

(c) any dangerous petroleum.

(2) In this section, the expression "dangerous petroleum" has the same meaning as in the Petroleum Act, 1934 (Central Act 30 of 1934).

**234. Application by owners and occupiers to drain into corporation sewer.**—(1) Subject to such conditions as may be laid down in the bye-laws, the owner or occupier of any premises having a private drain, or the owner of any private drain within the city may apply to the corporation to have his drain made to communicate with the corporation sewers and thereby to discharge foul water and surface water from those premises or that private drain :

Provided that nothing in this sub-section shall entitle any person to discharge directly or indirectly into any corporation sewer—

(i) any trade effluent from any trade premises except in accordance with the bye-laws made in this behalf; or

(ii) any liquid or other matter the discharge of which into corporation sewers is prohibited by or under this Act or any other law.

(2) Any person desirous of availing himself of the provisions of sub-section (1) shall give to the corporation notice of his proposals, and at any time within one month after receipt thereof, the commissioner may by notice to him refuse to permit the communication to be made, if it appears to him that the mode of construction or condition of the drain is such that the making of the communication

would be prejudicial to the sewerage system, and for the purpose of examining the mode of construction and condition of the drain he may, if necessary, require it to be laid open for inspection.

(3) The commissioner may, if he thinks fit, construct such part of the work necessary for connecting a private drain with a corporation sewer as is, in or under, a public street and in such a case, the expenses incurred by the commissioner shall be paid by the owner or occupier of the premises, or as the case may be, the owner of the private drain and shall be recoverable from the owner or occupier as an arrear of charges payable under this Act.

**235. Drainage of undrained premises.**—(1) Where any premises are in the opinion of the commissioner without sufficient means of effectual drainage and a government sewer or some place approved by the corporation for the discharge of filth and other polluted and obnoxious matter is situated at a distance or not exceeding thirty-five metre from any part of the said premises, he may, by written notice, require the owner of the said premises—

(a) to make a drain emptying into such corporation sewer or place ;

(b) to construct a closed cesspool or soakage pit and fittings as may appear to the commissioner necessary for the purpose of gathering and receiving the filth and other polluted and obnoxious matter from and conveying the same off, the said premises and of effectually flushing such drain and every fixture connected therewith ;

(c) to remove any existing drain or other appliance or thing used or intended to be used for drainage which is injurious to health ;

(d) to provide a closed drain in substitution of an open drain or to provide such other appliance or thing either newly or in substitution of any existing appliance or thing or to provide both a closed drain and such other

appliance or thing in substitution of the existing open drain and other appliance or thing, which is or is likely to be injurious to health ;

(e) to provide and set up all such appliance and fittings as may appear to the commissioner to be necessary for the purpose of gathering and receiving the waste water from floors and galleries of buildings when they are washed, and conveying the same through spouts by down-take pipes so as to prevent such waste from discharging directly on streets or inside any lower portion of the premises ;

(f) to carry out any work to improve or re-model an existing drain which is inadequate, insufficient or faulty.

(2) Where in any case not provided for in sub-section (1) any premises are, in the opinion of the commissioner without sufficient means of effectual drainage, he may, by written notice, require the owner of the premises—

(a) to construct a drain up to a point to be prescribed in such notice but not at a distance of more than thirty-five meters from any part of the premises ; or

(b) to construct a closed cesspool or soakage pit and drain or drains emptying into such cesspool or soakage pit.

(3) Any requisition for the construction of any drain under sub-section (2) may contain any of the details specified in sub-section (1).

(4) Where the owner of any premises to whom a notice has been issued under sub-section (2) fails to execute the work within three months from the date of receipt of such notice, the commissioner shall cause such work to be the commissioner, the provisions of section 247 shall apply as

if the said work is executed in accordance with the said section.

**236. New premises not to be erected without drains.—**

(1) In areas in which corporation sewers are provided it shall not be lawful to erect or to re-erect any premises or to occupy any such premises unless—

(a) a drain be constructed of such size, materials and descriptions, at such level and with such fall as shall appear to the commissioner to be necessary for the effectual drainage of such premises ;

(b) there have been provided and set up on such premises such appliances and fittings as may appear to the commissioner to be necessary for the purposes of gathering or receiving the filth and other polluted and obnoxious matter from, and conveying the same off, the said premises and of effectually flushing the drain of the said premises and every fixture connected therewith.

(2) The drain so constructed shall empty into a corporation sewer.

(3) The provisions of this section shall be applicable to premises any part of which is situated within a distance of thirty-five metres from a corporation sewer.

**237. Power to drain group or block of premises by combined operations.—**(1) If it appears to the commissioner that any group or block of premises may be drained more economically or advantageously in combination than separately, and a corporation sewer of sufficient size already exists or is about to be constructed within thirty-five meters of any part of that group or block of premises the commissioner may cause that group or block of premises to be drained by a combined operation.



(2) The expenses incurred in carrying out any work under sub-section (1) in respect of any group or block of premises shall be paid by the owners of such premises in such proportion as the commissioner may determine and shall be recoverable from them as an arrear of charges payable under this Act.

(3) Not less than fifteen days before any such work is commenced, the commissioner shall give to each such owner,—

(a) written notice of the nature of the proposed work, and

(b) an estimate of the expenses to be incurred in respect thereof and of the proportion of such expenses payable by him.

(4) The commissioner may require the owner of such group or block of premises to maintain the work executed under this section.

**238. Power of commissioner to close or limit the use of private drains in certain cases.**—Where a drain connecting any premises with a corporation sewer is sufficient for the effectual drainage of such premises and is otherwise unobjectionable but is not, in the opinion of the commissioner adopted to the general system of sewerage in the city he may, by written notice addressed to the owner of the premises, direct—

(a) that such drain be closed, discontinued or destroyed and that any work necessary for that purpose be done, or

(b) that such drain shall, from such date as may be specified in the notice in this behalf, be used for filth and polluted water only or for rain water and unpolluted sub-soil water only :

Provided that—

(i) no drain may be closed, discontinued or destroyed by the commissioner under clause (a) except on condition

of his providing another drain equally effectual for the drainage of the premises and communicating with any corporation sewer which he thinks fit; and

(ii) the expenses of the construction of any drain so provided by the commissioner and of any work done under clause (a) shall be borne by the corporation.

**239. Use of drain by a person other than the owner.**

(1) Where the commissioner either on receipt of an application from the owner of any premises or otherwise is of the opinion that the only, or the most convenient means of effectual drainage of the premises into a corporation sewer is through a drain belonging to another person, the commissioner may by notice in writing require the owner of such drain to show cause within a period specified in the notice as to why an order under this section should not be made.

(2) Where no cause is shown within the specified period or the cause shown appears to the commissioner invalid or insufficient, the commissioner may by order in writing either authorise the owner of the premises to use the drain or declare him to be a joint owner thereof.

(3) An order made under sub-section (2) may contain directions as to—

(a) the payment of rent or compensation by the owner of the premises;

(b) the construction of a drain for the premises for the purpose of connecting it with the aforesaid drain;

(c) the entry upon the land in which the aforesaid drain is situate with assistants and workmen at all reasonable hours;

(d) the respective responsibilities of the parties for maintaining, repairing, flushing, cleaning and emptying the aforesaid drain.

**240. Seweage and rainwater drains to be distinct.**—Whenever it is provided in this Chapter that steps shall or may be taken for the effectual drainage of any premises, it shall be competent for the commissioner to require that there shall be one drain for filth and polluted water and an entirely distinct drain for rain water and unpolluted subsoil water or both rain water and unpolluted sub-soil water each emptying into a separate corporation sewer or corporation drain or other suitable places.

**241. Power to require owner to carry out certain works for satisfactory drainage.**—For the purpose of efficient drainage of any premises, the commissioner may, by notice in writing—

(a) require any courtyard, alley or passage between two or more buildings to be paved by the owner or owners of such buildings with such materials and in such manner as may be approved by the corporation ; and

(b) require such paving to be kept in proper repair .

**242. Appointment of places for the emptying of sewers and disposal of sewage.**—The commissioner may cause any or all of the corporation sewers to empty into, and all sewage to be disposed of at such place or places as he considers suitable :

Provided that on and after such date as may be appointed by the corporation in this behalf no sewage shall be discharged into any water-course until it has been so treated as not to affect prejudicially the purity and quality of the water into which it is discharged.

**243. Connection with sewers not to be made without permission.**—Without the written permission of the commissioner no person shall, for any purpose whatsoever, at any time make or cause to be made any connection or communication with any sewer referred to in section 231 constructed or maintained by, or vested in, the corporation

**244. Buildings and private streets not to be erected or constructed over sewers without permission.**—(1) Without the written permission of the commissioner no private street shall be constructed and no building, wall, fence or other structure shall be erected on any corporation sewer constructed or maintained by, or vested in, the corporation.

(2) If any private street be constructed or any building wall, fence or structure erected on any sewer as aforesaid without the written permission of the commissioner, ~~he~~ the commissioner may remove or otherwise deal with the same as he thinks fit.

(3) The expenses incurred by the commissioner in so doing shall be paid by the owner of the private street or of the building, fence, wall or other structure or, as the case may be, by the person offending and shall be recoverable as an arrear of charges payable under this Act.

**245. Right of user of property for laying sewers.**—(1) The corporation may place and maintain sewers over, under, along or across any immovable property whether within or without the local limits of the corporation, without acquiring the same, and any officer or servant of the corporation may at any time for the purpose of examining, repairing, altering or removing any sewer enter on any property over, under, along or across which the sewers have been laid :

Provided that the corporation shall not acquire any right other than a right of user in property over, under, along or across which any sewer is laid.

(2) In the exercise of the powers conferred under this section, the corporation shall cause as little damage as may be possible, and shall make full compensation for any damage caused by it.

**246. Power of owner of premises to lay sewer through land belonging to other persons.**—(1) If it appears to the commissioner that the only or most convenient means of sewerage of any premises is by laying any sewer over, under,

along or across the immovable property of another person, the commissioner may, by order in writing, authorise the owner of the premises to lay or carry such sewer over, under, along or across such immovable property :

Provided that before making any such order the commissioner shall give to the owner of the immovable property a reasonable opportunity of showing cause within forty-five days so as to why such an order should not be made :

Provided further that the owner of the premises shall not acquire any right other than a right of user in the property over, under, along or across which any such sewer is laid.

(2) Upon the making of an order under sub-section (1), the owner of the premises may, after giving reasonable notice of his intention so to do, enter upon the immovable property with assistants and workmen at any time between sunrise and sunset for the purposes of laying a sewer over, under, along or across such immovable property or for the purpose of repairing the same.

(3) In laying a sewer under this section, as little damage as possible shall be done to the immovable property and the owner of the premises shall—

(a) cause the sewer to be laid with the least practicable delay ;

(b) fill in, reinstate and make good at his own cost and with the least practicable delay, any land opened, broken up or removed for the purpose of laying such sewer ; and

(c) pay compensation to the owner of the immovable property and to any other person who sustains damage by reason of the laying of such sewer.

(4) If the owner of the immovable property, over, under, along or across which a sewer has been laid under this section whilst such immovable property was not built upon desires to erect any building on such property, the commissioner shall, by notice in writing, require the owner

of the premises to close, remove or divert the sewer in such manner as shall be approved by him and to fill in, reinstate and make good the immovable property as if the sewer had not been laid over, along or across the same :

Provided that no such requisition shall be made unless in the opinion of the commissioner it is necessary or expedient for the construction of the proposed building or the safe enjoyment thereof that the sewer should be closed, removed or diverted.

**247. Power to execute work after giving notice to the person liable.**—(1) When under the provisions of this Chapter any person may be required or is liable to execute any work, the commissioner, in accordance with the provision of this Act and of any bye-laws made in this behalf, cause such work to be executed after giving such person an opportunity of executing the same within such time as may be specified by it for this purpose.

(2) The expenses incurred or likely to be incurred by the commissioner in the execution of any such work shall be payable by the said person and the expenses incurred by the commissioner in connection with the maintenance of such work shall be payable by the person or persons enjoying such amenities and convenience rendered possible by such work.

(3) The expenses referred to in sub-section (2) shall be recoverable from the person or persons liable therefor as an arrear of charges payable under this Act.

**248. Power to affix shafts, etc., for ventilation of sewer or cesspool.**—For the purpose of ventilating any sewer or cesspool, whether vested in the corporation or not, the commissioner may, in accordance with the bye-laws made in this behalf, erect upon any premises or affix to the outside of any building or to any tree any such shaft or pipe as may appear to it to be necessary.

**249. Power to examine and test sewers, etc., believed to be defective.**—(1) Where it appears to the commissioner that there are reasonable grounds for believing that a private sewer or cesspool is in such condition as to be prejudicial to health or nuisance or that a private sewer communicating directly or indirectly with a corporation sewer is so defective as to admit sub-soil water, he may examine its condition and for that purpose may apply any test, other than a test by water under pressure, and if he deems it necessary, open the ground.

(2) If an examination the sewer or cesspool is found to be in proper condition, the commissioner shall, as soon as possible, reinstate any ground which has been opened by him and make good the damage done by him.

**250. Work connected with the corporation sewerage system to be done by licensed plumber.**—(1) No person other than a licensed plumber shall execute any work connected with the corporation sewerage system and no person shall permit any such work to be executed except by a licensed plumber :

Provided that if, in the opinion of the corporation Engineer, the work is of a trivial nature may grant permission in writing for the execution of such work by a person other than a licensed plumber.

(2) The provisions of sections 228 shall be applicable in respect of any work connected with any drain as they are applicable in respect of any work connected with water supply.

**251. Prohibition of certain acts relating to sewerage.**  
No person shall—

(a) wilfully obstruct any person acting under the authority of the corporation or the commissioner in setting out the lines of any works or pull up or remove any pillar, post or stake fixed in the ground for the purpose of setting out lines of such work, or deface or destroy any works, made for the same purpose ; or

(b) wilfully or negligently break, injure, turn on, open, close, shut off or otherwise interfere with any lock, cock, valve, pipe, or other work or apparatus belonging to the corporation ; or

(c) unlawfully obstruct the flow of or jush, draw off, divert or take sewage from any sewage work belonging to the corporation ; or

(d) obstruct any officer or other employee of the corporation in the discharge of his duties under this Chapter or refuse or wilfully neglect to furnish him with the means necessary for the making of any entry, inspection, examination or inquiry thereunder in relating to any sewage work.

**252. Byelaws regarding sewerage.**—(1) The corporation may make bye-laws relating to sewerage to carry out the purposes of this Chapter.

(2) In particular and without prejudice to the foregoing provision, such bye-laws may provide for—

(a) the regulation or prohibition of the discharge of deposit of offensive or obstructive matter, polluted water or other polluted and obnoxious matter into sewers ;

(b) the regulation in any manner not specifically provided for in this Act, of the construction, alteration, maintenance, preservation, cleaning and repairs of sewers, ventilation shafts, pipes, latrines, urinals, cesspools and other sewerage works ;

(c) the cleaning of sewers ;

(d) the prohibition of erection of buildings over sewers without the permission of the corporation or the commissioner ;

(e) the connection of private drains with corporation sewers ;

(g) the covering and ventilation of cesspools ;

(f) the location and construction of cesspools ;

(h) the period or periods of the day during which trade effluent may be discharged from any trade premises into corporation sewers ;



(i) the exclusion from trade effluent of all condensing water ;

(j) the elimination from trade effluent before it enters a corporation sewer, of any constituent which in the opinion of the corporation would, either alone or in combination with any matter with which it is likely to come into contact while passing through corporation sewers, injure or obstruct those sewers or make specially difficult or expensive the treatment or disposal of the sewage from those sewers ;

(k) the maximum quantity of trade effluent which may, without any consent or permission, be discharged from any trade premises into corporation sewers on any one day and the highest rate at which trade effluent may, without such consent or permission, be discharged from any trade premises into corporation sewers ;

(l) the regulation of the temperature of trade effluent at the time of its discharge into corporation sewers and the securing of the neutrality of trade effluent (that is to say, that it is neither acidic nor alkaline) at the time of such discharge ;

(m) the charge to be paid to the corporation by occupiers of trade premises for the reception of trade effluent into corporation sewers and disposal thereof ;

(n) the provision and maintenance of such an inspection chamber or manhole as will enable a person readily to take at any time samples of what is passing into corporation sewers from trade premises ;

(o) the provision and maintenance of such meters as may be required to measure the volume of any effluent being discharged from any trade premises into corporation sewers, and the testing of such meters.

(p) any other matter which has to be or may be provided for bye-laws made under this Chapter.

(3) In making any bye-law under this section, the corporation may provide that a breach thereof shall be punishable with fine which may extend to one hundred rupees and in case of a continuing breach with an additional

fine which may extend to ten rupees for every day during which the breach continues after receipt of a notice from the corporation to discontinue such breach.

**253. Inspection of corporation water works or sewerage works by persons appointed by Government.—**Any person appointed by the Government in this behalf shall at all reasonable times have liberty to enter upon and inspect any corporation water works or sewerage works.

**254. Execution of works by Government agency.—**The Government may at the request of the corporation when it considers that the corporation does not have at its disposal adequate technical assistance to execute a water supply or drainage scheme direct the execution of any water supply or drainage scheme through the Public Works Department of the Government.

**255. Provision of public privies.—**The corporation shall provide and maintain in proper and convenient places a sufficient number of public privies and shall cause the same to be kept clean and in proper order.

**256. Licensing of public privies.—**(1) The commissioner may license for any period not exceeding one year the provision and maintenance of privies for public use.

(2) No person shall keep a public privy without a licence under sub-section (1).

(3) Every licensee of a public privy shall maintain it in clean and proper order.

**257. Provision of privies by owner or occupier.—**(1) The commissioner may, by notice require, the owner

or occupier of any building, within such time and in accordance with such directions as may be specified therein, to provide flushout or other privies for the use of the persons employed in or about or occupying such building or alter or remove from an unsuitable to a more suitable place any existing privy. Such owner or occupier shall keep every such privy clean and in proper order.

(2) Every owner or occupier of the ground on which any block of huts stands shall, within such time and in accordance with such directions as may be specified in a notice issued by the commissioner, provide flush-out or other privies for the use of the inhabitants of such block of huts or alter or remove from an unsuitable to a more suitable place any existing privy and shall keep the same clean and in proper order.

**258. Provision of privies and urinals for labourers.—**

Every person employing workmen, labourers or other persons exceeding twenty in number shall provide and maintain for the separate use of persons of each sex so employed flush-out or other latrines of such description and number as the commisioner may by notice require, and within such time as may be fixed in the notice and shall keep the same clean and in proper order.

**259. Provision of privies and urinals for markets, cart stands and cattle stands.—**The commisioner may by notice require any owner or manager of a market, cart-stand, cattle-stand, choultry, theatre, railway station, or other place of public resort within such time as may be specified in such notice to provide and maintain for the separate use of persons of each sex, flush-out or other privies of such description and number and in such a position as may be specified and to keep the same clean and in proper order.

**260. Privies to be screened from view.—**All flush-outs or other privies shall be so constructed as to screen persons using the same from the view of persons passing by or residing in the neighbourhood.

**261. Power to carry wire pipes, drains, etc., through private property.**—The commissioner may carry any cable, wire, pipe, drain or channel of any kind to establish or maintain any system of drainage, water-supply or lighting, through, across, under or over any road, street or place laid out for a road or street and after giving reasonable notice to the owner or occupier through, across, under, over, or up the said of any land or building in the city, and may place and maintain posts, poles, standards, brackets or other contrivances to support cables, pipes, channels, wires and lights on any pole or post in the city not vested in the Government and under the control of the Government and may do all acts necessary or expedient for repairing or maintaining any such cable, wire, pipe, drain, channel, post, pole, standard, bracket or other similar contrivance in an effective state for the purpose for which it is intended to be used, or for removing the same :

Provided that such work shall be done so as to cause the least practicable nuisance or inconvenience to any person :

Provided further that the commissioner, shall, with the sanction of the standing committee, pay compensation to any person who sustains damage by the exercise of such power.

**262. Prohibition against making connection without permission.**—(1) No person shall, without the permission of the commissioner, make any connection with any corporation cable, wire, pipe drain or channel or with the house connection of any other person.

(2) The commissioner may, by notice, require any connections made in contravention of sub-section (1) to be demolished, removed, closed, altered or re-made.